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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,171	04/26/2000	Daniel ManHung Wong	OR00-00801	1509

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PARK, VAUGHAN & FLEMING LLP
508 SECOND STREET
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DAVIS, CA 95616

EXAMINER

TO, BAOQUOC N

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/559,171

Applicant(s)

WONG ET AL.

Examiner

Baoquoc N To

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-11,13-15,17-21,23-25 and 27-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-11,13-15,17-21,23-25 and 27-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 11 and 21 are amended in the amendment filed on 07/15/2004.
Claims 1, 3-5, 7-11, 13-15, 17-21, 23-25 and 27-33 are pending in this application.

Response to Arguments

2. Applicant's arguments filed 07/15/04 have been fully considered but they are not persuasive.

The applicant argues, "there is nothing within Maier, either explicitly or implicit, which suggests conditionally creating audit records for access to databases depending on the value of a specific field in a given row of the database."

The examiner respectfully disagrees with the above argument because first of all Maier, as applicant recognized, ~~states~~^{states} "it is often the case that an application need to access a database table in accordance with a set of column values, at least some of which are not included in the primary index..." (col. 5, lines 18-28). In addition, Maier also ~~states~~^{states} "at the beginning of the second phase, an Audit Trail filter is established such that only Audit Trail records that pertain to the Old Partition are received for processing (by an Audit Fixup Process started by the SQL catalog manager). The processing of each audit record that passes the filter is call an "audit fixup" (col. 8, lines 35-40). Maier suggests the using SQL as a filter to creating an audit record wherein in Maier the audit records are the audit fixup. Although, Maier was not explicitly state condition is used to create audit fixup; however, SQL is known language to use condition as a part of the querying process. For example, Fundamentals of

Art Unit: 2162

Database systems was author by Elmasri et al., teaches "SELECT BDATE, ADDRESS, FROM EMPLOYEE, WHERE FNAME='John' AND 'MINIT'='B' AND LNAME='Smith' (chapter 8.2.1, page 252, lines 23-25). Therefore, the fixup audit record is the audit record, which was being recreated by the filter using conditional SQL.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-5, 7-11, 13-15, 17-21, 23-25 and 27-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maier et al. (US. Patent No. 5,625,185) in view of Elmasri et al. (Fundamentals of Database System) copy right 2000.

Regarding on claims 1, 11 and 21, Maier teaches a method for selectively auditing accesses to a relational database system, comprising:

receiving a query from a client at a database server that processes queries for the relational database system (col. 3, lines 65-66);

automatically modifying the query prior to processing the query, so that processing the query causes an audit record to be created and recorded for rows in

Art Unit: 2162

relational tables that are accessed by the query and that satisfy an auditing condition (col. 4, lines 10-12);

processing the query at the database server to produce a query result (co. 4, lines 7-10);

recording the audit record in an audit record table store (col. 4, lines 10-12); and returning the query result to the client (col. 6, lines 35-39).

Maier does not explicitly teach the auditing condition specifies a condition based on a value of a field in a row in the relational database and conditionally creating the audit record only for rows in relational tables that are actually accessed by the query and that satisfy the auditing condition. However, Maier suggests "it is often the case that an application program needs to access a database table in accordance with a set of column values, at least some of which are not included in the primary index. When that is the case, a Create Index procedure can be used to create an efficient alternate access path to the database table by ordering data according to the values in any specified set of columns. That ordering is represented by an "Alternate Index," which is typically implemented as a separate data structure from the associated database table." (page 5, lines 18-28). This the database application access to audit the data based on the column values. In addition, Maier also discloses "at the beginning of the second phase, an AuditTrail filter is established such that only AuditTrail records that pertain to the Old Pariton are received for processing (by an Audit Fixup Process started by the SQL catalog manager). The processing of each audit record that passes the filter is call an "audit fixup" (col. 8, lines 35-40). Maier suggests the using SQL as a filter to creating

Art Unit: 2162

an audit record wherein in Maier the audit records are the audit fixup. Although, Maier was not explicitly states condition is used to create audit fixup; however, SQL is known language to use condition as a part of the querying process. For example, Fundamentals of Database systems was author by Elmasri et al., teaches "SELECT BDATE, ADDRESS, FROM EMPLOYEE, WHERE FNAM='John' AND 'MINIT'='B' AND LNAME='Smith' (chapter 8.2.1, page 252, lines 23-25). Therefore, the fixup audit record is the audit record which was being recreated by the filter using conditional SQL. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to one ordinary skill in the art at the time of the invention was made to modify Maier's to include an SQL with condition process the process as taught by Elmasri order to allow the data in the row to be edited according to the condition is set by the requester.

Regarding on claims 3, 13, and 23, Maier teaches the auditing condition is associated with a table in the relational database system (col. 5, lines 18-27).

Regarding on claims 4, 14 and 24, Maier teaches the auditing condition includes a plurality of auditing conditions (col. 8, lines 24-28).

Regarding o claims 5, 15 and 25, Maier teaches the auditing record includes:

a user name for a user making the query (col. 6, line 4);

a time stamp specifying a time of the query (col. 6, lines 1-4); and

a text of the query (col. 6, lines 15-18).

Regarding on claims 7, 17 and 27, Maier teaches auditing is enabled on a table by table basic (col. 5, lines 63-60).

Art Unit: 2162

Regarding on claims 8, 18 and 28, Maier teaches auditing record is created while the query result is generated (col. 6, lines 8-18).

Regarding on claims 9, 19 and 29, Maier teaches the auditing record is created after the query result is generated (col. 6, lines 18-30).

Regarding on claims 10, 20 and 30, Maier teaches the auditing condition includes a condition for a field within the relational database system (col. 6, lines 18-30).

Regarding on claims 31-33, Maier teaches creating the audit record include:

determining if auditing is enabled (col. 8, lines 35-40); and

creating the audit record only if auditing is enable (col. 8, lines 35-40);

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2162

Contact Information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at (703) 305-9790.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(703) 872-9306 [Official Communication]

Baoquoc N. To

December 22, 2004


JEAN M. CORRIELUS
PRIMARY EXAMINER